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EXAMINER

PHAM, THIERRY L

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/759,351	Applicant(s) HA, WOO-HWA	
	Examiner Thierry L. Pham	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 and 15-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 & 15-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- This action is responsive to the following communication: an Amendment filed on 4/13/06.
- Claims 1-13 & 15-21 are pending; claim 14 has been canceled; claim 19-21 are newly added.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4-6, 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horaguchi et al (JP 09139794), and in view of Gase et al (US 5580177).

Regarding claim 1, Horaguchi discloses a method of storing an initial use date of a printer, comprising:

- determining whether the printer is being used for the first time (determine whether PC 2 and multifunctional printer 1 are interconnected, fig. 1, abstract, and par. 23-25); and
- storing an initial use date in a storage of the printer (printer's RAM 15, fig. 2) when the printer is used for the first time by transferring the initial use date from a host (transferring time and date from PC 2, pars. 23-25) to the printer.

However, Horaguchi fails to teach and/or suggest determining step and storing step being executed when drivers for the printer are being installed (in other words, Horaguchi fails to teach and/or suggest installing a new printer driver each time a new printer is connected to a host PC).

Gase, in the same field of endeavor for printing, teaches determining step and storing step being executed when drivers for the printer are being installed (a new printer driver is installed each time a new printer is connected to a host device, col. 1, lines 42-45, which is also well known in the art).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify printing system of Horaguchi to install a new printer driver each time a new printer is connected to a host device as taught by Gase because of a following reason: (●) to allow the client computer to use the newly added printer (col. 1, lines 46-47) and to communicate the initial use date from host device to printer properly; (●) and to ensure the printer is operate correctly by installing a new and compatible printer driver each time a new printer is added.

Therefore, it would have been obvious to combine Horaguchi with Gase to obtain the invention as specified in claim 1.

Regarding claim 4, Horaguchi further teaches the method of claim 1, further comprising transferring data from said printer to a said host attached to said printer (fig. 1).

Regarding claim 5, Horaguchi further teaches the method of claim 4, wherein said initial use date is entered into said host by a user (par. 23-26).

Regarding claim 6, Horaguchi further teaches the method of claim 4, wherein said host counts the date via an internal clock registers the time and the date into memory of printer if said time and date are correct (pars. 23-26).

Regarding claim 19, Horaguchi discloses a method of storing an initial use date of a printer, comprising:

- connecting said printer to a host (par. 23);
- installing a printer driver adapted to drive said printer (installing a printer driver is well known, see Gase's reference as discussed above for details);
- determining whether said printer is being used for a first time (par. 23-25);
- transmitting (par. 23-25) a current year, month and date to said printer when said printer is being used for the first time; and
- storing (par. 23-25) the transmitted current year, month and date in a storage area in said printer.

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Regarding claim 20, Horaguichi further discloses the method of claim 19, further comprising displaying (par. 25) whether a year, month and date is being stored within said storage area in said printer.

Regarding claim 21, Horaguichi further discloses the method of claim 19, further comprising outputting (par. 23-25) a year, month and date stored within said storage area in said printer.

Claims 2-3, 7-13, 15-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hong (EP 965950), and in view of Horaguchi et al (JP 09139794).

Regarding claim 2, Hong discloses a method of informing an initial use date (first use date of newly purchased electronic device, abstract pages 1-4) of an electronic device, comprising the steps of:

- providing data stored in a storage (memory 108, fig. 1) to a host (transmits via antenna 101, fig. 1), the storage including a first area (initial use date is absence or presence, par. 7 and par. 28-35) for storing information indicating whether the initial use date was stored and a second area for recording the initial use date (initial use date, par. 7 and par. 28-35);
- determining whether the initial use date was stored (par. 7 and pars. 28-35) referring to the data indicating the presence or absence of the initial use date by the host;
- providing a current year/month/date to the electronic device by the host (par. 28-35) if the initial use date was not stored;
- storing (memory 108, fig. 1) the current year/month/date received from the host as the initial use date in the second area of the storage and information indicating that the initial use date was stored by the electronic device (pars. 7 and par. 28-35); and
- outputting the initial use date from the storage by the electronic device (par. 7 and pars. 28-35) upon receipt of a user command.

Hong teaches an example of providing and storing an initial use date of an electronic device (i.e. television and cellular phone) after purchase for verifying the warranty period of the electronic device, but fails to teach and/or suggest that an electronic device is a printer device and installing printer driver onto newly purchased electronic device (specifically, Hong fails to

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teach and/or suggest transferring initial use date from host to printer device and to install new printer driver for newly purchased printer).

Horaguchi teaches an example of an electronic device is a printer device and wherein a host computer transfers initial use date to printer device (transferring initial use date from host to printer upon connecting printer device with host computer, pars. 23-27) and installing printer driver onto a newly added electronic device (i.e. printer) is well known in the art (i.e. a new printer driver is required for newly added printer to work).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Hong's invention to include printer device as taught by Horaguchi because of a following reason: (●) to extend coverage capability (i.e. warranty date) of not only for televisions and cellular phones as taught by Hong, but also for printers and other electronic devices (i.e. digital camera, PDA, and etc).

Therefore, it would have been obvious to combine Hong with Horaguchi to obtain the invention as specified in claim 2.

Horaguchi further teaches the method of claim 3, wherein the step (3) comprises the steps of:

- displaying a first message asking whether a year/month/date counted by an internal counter is identical (identical, pars. 23-28) to the current year/month/date by the host if the initial use date was not stored;
- providing (pars. 23-28) the counted year/month/date as the current year/month/date to the printer by the host upon receipt of a positive response from a user;
- displaying (par. 25) a second message requesting the user to enter the current year/month/date by the host upon receipt of a negative response from the host computer; and
- providing (pars. 23-28) a year/month/date received from the user as the current year/month/date to the printer by the host upon receipt of the year/month/date from the user.

Regarding claim 7, combinations of Hong and Horaguchi further teaches a method of initializing a printer attached to a host, comprising:

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- connecting said printer to said host (fig. 1 of Horaguchi);
- applying power to both said host and said printer (AC power, par. 22 of Horaguchi);
- installing a printer driver (installing printer driver onto a newly added electronic device (i.e. printer) is well known in the art) into said host;
- sending data (par. 23-28 of Horaguchi) from a memory space in said printer to said computer;
- determining whether said printer has an initial date (par. 28-35 of Hong) stored in said memory of said printer; and
- typing in an initial start date (par. 25 of Horaguchi) by a user into said host when said initial date is absent from said memory of said printer. Please refering to claim 2 above for more details.

Regarding claim 8, Horaguchi further teaches the method of claim 7, further comprising having the host furnish said initial date of said printer when a clock on said host is accurate (pars. 28-35).

Regarding claim 9, Horaguichi further teaches the method of claim 8, further comprising storing said initial date of said printer in said memory in said printer (RAM 15, fig. 2).

Regarding claim 10, Horaguchi further teaches the method of claim 2, said host being a personal computer (PC 2, fig. 1) attached to but separate from the printer (fig. 1).

Regarding claim 11, Hong further teaches the method of claim 2, wherein in step (2), the first area and not the second area is consulted to determine whether the initial use date has previously been stored (par. 28-35), said first area being distinguished form the second area.

Regarding claim 16, Hong further teaches the method of claim 2, further comprising updating the first area to indicate that the initial use date has been moved when the host supplies the printer with the initial use date (par. 28-35).

Regarding claim 12, Horaguchi further teaches the method of claim 7, said host being a personal computer, said personal computer is being distinguished from the printer (fig. 1).

Regarding claim 13, Hong further teaches the method of claim 7, said memory space comprising a first area and a second area separate from the first area, the initial date being stored in the second area and an indicator being stored in the first area that indicates whether or not an initial date has been stored in the second area, said determining step examining the contents of the first area and not the second area (pars. 28-40).

Regarding claim 15, Horaguchi further teaches the method of claim 12, said typing step is being conducted at the personal computer and not at the printer (pars. 20-26).

Regarding claim 17, Hong further teaches the method of claim 13, the first area is updated when the initial date is stored in the second area in the printer (pars. 28-35).

Regarding claim 18, Horaguchi further teaches the method of claim 17, the first and the second areas being updated when the print drivers are being installed (installing printer driver onto a newly added electronic device (i.e. printer) is well known.

Response to Arguments

Applicant's arguments filed 4/13/06 have been fully considered but they are not persuasive.

- Regarding claim 1, the applicant argued the cited prior art of record (JP 09139794 to Horaguchi et al) fails to teach and/or suggest “determining whether the printer is being used for the first time”. The applicant argued determining whether the host computer is connected facsimile connected is not the same as determining whether a printer is being used for the first time.

In response, the examiner disagrees with the applicant's argument. Features/limitations as cited in claim 1 does not indicate whether the printer is being used for the first time with respect to new printer that has never been used or printer that has was not been used in a different environment (i.e. used for the first in a different location with the same host device after disconnect and reconnect, used for the first time after calibration, used for the first time after

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power off and on, used for the first time after the printer is connected to a different host device, and etc). Horaguichi explicitly teaches an example of determining whether a facsimile is connected to a host computer to be used for the first time (par. 23, fig.4 shows a determination steps). "First time" is being interpreted as when a facsimile is connected to a host computer after both devices are powered on and communicate with respect to each other. Fig. 4 and par. 23 of Horaguichi explicitly teaches these features.

- Regarding claim 1, the applicant argued the cited prior art of record (JP 09139794 to Horaguichi et al) fails to teach and/or suggest "storing the initial use date in a storage of the printer". Applicant submits that there is no teaching anywhere in Horaguichi that the current date and time transferred from the PC to the facsimile in Horaguichi is ever stored anywhere including RAM 15.

In response, the examiner disagrees with applicant's argument. Fig. 2 shows a functional block diagram of facsimile apparatus that includes plurality of storage devices (i.e. ROM, EEPROM, RAM, image memory, buffer memory, pars. 12-13). RAM 15 can store plurality type of data (par. 12) including date and time transmitted from PC 1 (par. 23). Obviously, time data transmitted from PC to facsimile (par. 23) has to be stored in storage device such as RAM. Other storage device is available including image memory, buffer memory and etc., par. 12-13 for storing such data. For example, Horaguichi teaches an example of *nonvolatile* time memory 14, which stores plurality of different type of data including transmission time and date (for example, year/month/date/day/time, par. 13).

- Regarding claim 1, the applicant argued the cited prior art of record (US 5580177 to Gase et al) fails to teach and/or suggest installation of printer driver for new printer and the combined references (Horaguichi and Gase) are not in the same field of endeavor.

In response to applicant's argument that the combined references is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, both Horaguichi and Gase references

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are in the same field of endeavor for printing. Both involve transmitting data from host computers to printing devices or vice versa. In addition, Gase explicitly teaches an example of installing a new printer driver for new printer (col. 1, lines 39-52). It is also well known to install a printer driver for newly connected printer (i.e. which connected to a host computer) to ensure and enable the devices to work properly.

- Regarding claim 7, the applicant argued the combined references (EP 965950 to Hong and JP 09139794 to Horaguichi) are non-analogous arts of different fields of endeavor.

In response to applicant's argument that the combined references is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, both Horaguichi and Hong references are in the same field of endeavor for setting time and date of first use of the electronic devices. Both involve transmitting a signal represents initial use (i.e. date and time) from one electronic device to another electronic device.

- Regarding claim 7, the applicant argued the cited prior arts of record (EP 965950 to Hong and JP 09139794 to Horaguichi) fail to teach and/or suggest "determining whether said printer has an initial date stored in the memory of the printer".

In response, both Hong and Horaguichi teach an example of determining whether a device has an initial date stored in the memory of the device. Hong teaches an example of storing an initial use date (abstract and pars. 7-11 and par. 28) for warranty purposes (which is the same purpose of the applicant's invention, that is to store warranty date) with respect to the electronic devices (i.e. TV or cell phone). TV or cell phone are just an example to illustrate the invention. Other devices are also applicable (par. 39-40). Horaguichi also teaches an example of transferring initial use date from host computer to facsimile or vice versa (par. 23-26).

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- Regarding claim 7, the applicants argued “installing printer driver into said host” is not well known as stated by the examiner. In addition, the applicant also submits that installing a printer driver into a printer in a method that includes storing an initial use date is not well known. In other words, the applicant argued there is no reference that teaches the initial use date being stored in a process that also includes installing printer drivers.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the initial use date being stored in a process that also includes installing printer drivers or installing a printer driver into a printer in a method that includes storing an initial use date) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Claim 7 only includes “installing a printer driver into said host” and not storing initial use date in association with installed printer driver. However, installing a printer driver into a host computer when a printer is connected to a host computer is well known in the art. A printer driver is required for both devices to work properly. Gase taught an example of installing a printer driver (see claim 1 above for details). However, the examiner has also cited several prior art references that teach a well known method of installing a printer driver when a printer is connected herewith. (*JP 10063451*, *US6606669*, *US6989910*, *US20030043395*).

- Regarding claim 9, the applicant argued the cited prior art of record (JP 09139794 to Horaguichi et al) fails to teach and/or suggest “storing the initial use date in a storage of the printer”. Applicant submits that there is no teaching anywhere in Horaguichi that the current date and time transferred from the PC to the facsimile in Horaguichi is ever stored anywhere including RAM 15.

In response, the examiner disagrees with applicant's argument. Fig. 2 shows a functional block diagram of facsimile apparatus that includes plurality of storage devices (i.e. ROM, EEPROM, RAM, image memory, buffer memory, pars. 12-13). RAM 15 can stores plurality type of data (par. 12) including date and time transmitted from PC 1 (par. 23). Obviously, time data transmitted from PC to facsimile (par. 23) has to be stored in storage device such a RAM. Other

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storage device is available including image memory, buffer memory and etc., par. 12-13 for storing such data. For example, Horaguichi teaches an example of *nonvolatile* time memory 14, which stores plurality of different type of data including transmission time and date (for example, year/month/date/day/time, par. 13).

- Regarding claim 13, the applicant argued the cited prior arts of record (EP 965950 to Hong and JP 09139794 to Horaguichi) fail to teach and/or suggest “memory space comprising a first area and a second area separate from the first area, the initial use date being stored in the second area and an indicator being stored in the first area that indicates whether or not an initial use date has been stored in the second area, said determining step examining the contents of the first area and not the second area”.

In response, the examiner disagrees. Hong teaches a memory space comprising a first area and a second area separate from the first area, the initial date being stored in the second area and an indicator being stored in the first area that indicates whether or not an initial date has been stored in the second area, said determining step examining the contents of the first area and not the second area (pars. 28-40). Nonvolatile memory 108 as taught by Hong is well known to contain plurality of different addresses (par. 28) for storing plurality of different data. Hong teaches an indicator of initial use date, date data Ds, for determining whether or not date information was stored when the purchased product was used for the first time (par. 28). If the purchase product is being used for the first time, present date Dp is written at a specific address of the nonvolatile memory 108 that stores Ds. However, it would have been obvious to one of ordinary skill in the art that present date Dp can be written at any specific address other than at the address that stores Ds data. For example, instead of overwriting the Ds with Dp, one of ordinary skill in the art can use different address to store Dp data. Horaguichi teaches an example of nonvolatile memory device 14 that contains plurality different storage areas, and each area can stored different type of data, for example, memory 14a for storing one-touch number, memory 14b for storing sender telephone number, memory 14c for storing communication link condition, memory 14d for storing type of programs, memory 14e for storing sending and receiving time and during time for

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transmission, and memory 14f for storing communication information. Clearly, choosing which memory address of a storage device to store data is well known and based upon one desire.

- Regarding claim 18, the applicant argued the cited prior arts of record (EP 965950 to Hong and JP 09139794 to Horaguichi) fail to teach and/or suggest “the first and the second areas being updated when the printer drivers are being installed”.

In response, the examiner disagrees. First of all, installing a printer driver for newly added and/or newly connected printer to a host computer that enabling the devices to work properly is well known in the art. Horaguichi explicitly teaches an example of updating date and time for the facsimile device (pars. 13-14 and 23-28). Hong also teaches an example of storage areas being updated (par. 28-33).

- Regarding claim 2, the applicant argued the cited prior arts of record (EP 965950 to Hong and JP 09139794 to Horaguichi) fail to teach and/or suggest “providing data stored in a storage to a host by a printer when a printer driver is installed”.

In response, both Hong and Horaguichi teach an example of determining whether a device has an initial date stored in the memory of the device. Hong teaches an example of storing an initial use date (abstract and pars. 7-11 and par. 28) for warranty purposes (which is the same purpose of the applicant’s invention, that is to store warranty date) with respect to the electronic devices (i.e. TV or cell phone). TV or cell phone are just an example to illustrate the invention. Other devices are also applicable (par. 39-40). Horaguichi also teaches an example of transferring initial use date from host computer to facsimile or vice versa (par. 23-26). Installing a printer driver into a host computer when a printer is connected to a host computer is well known in the art. A printer driver is required for both devices to work properly. The examiner has also cited several prior art references that teach a well known method of installing a printer driver when a printer is connected herewith. (*JP 10063451, US6606669, US6989910, US20030043395*).

- Regarding claim 2, the applicant argued the cited prior arts of record (EP 965950 to Hong and JP 09139794 to Horaguichi) fail to teach and/or suggest the printer having a memory having two storage areas, one for the indicator and the other for the date.

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In response, the examiner disagrees. Hong teaches a memory space comprising a first area and a second area separate from the first area, the initial date being stored in the second area and an indicator being stored in the first area that indicates whether or not an initial date has been stored in the second area, said determining step examining the contents of the first area and not the second area (pars. 28-40). Nonvolatile memory 108 as taught by Hong is well known to contain plurality of different addresses (par. 28) for storing plurality of different data. Hong teaches an indicator of initial use date, date data Ds, for determining whether or not date information was stored when the purchased product was used for the first time (par. 28). If the purchase product is being used for the first time, present date Dp is written at a specific address of the nonvolatile memory 108 that stores Ds. However, it would have been obvious to one of ordinary skill in the art that present date Dp can be written at any specific address other than at the address that stores Ds data. For example, instead of overwriting the Ds with Dp, one of ordinary skill in the art can use different address to store Dp data. Horaguichi teaches an example of nonvolatile memory device 14 that contains plurality different storage areas, and each area can stored different type of data, for example, memory 14a for storing one-touch number, memory 14b for storing sender telephone number, memory 14c for storing communication link condition, memory 14d for storing type of programs, memory 14e for storing sending and receiving time and during time for transmission, and memory 14f for storing communication information. Clearly, choosing which memory address of a storage device to store data is well known and based upon one desire.

- Regarding claim 2, the applicant argued that there is no credible motivation to turn to a reference about a facsimile machine to fill in for the deficiency of a TV set.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the motivation to combine the references is to extend coverage capability (i.e. warranty date) of not only for televisions and cellular phones as taught by Hong, but also for

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printers and other electronic devices (i.e. digital camera, PDA, and etc). Both Hong and Horaguichi teach an example of determining whether a device has an initial date stored in the memory of the device. Hong teaches an example of storing an initial use date (abstract and pars. 7-11 and par. 28) for warranty purposes (which is the same purpose of the applicant's invention, that is to store warranty date) with respect to the electronic devices (i.e. TV or cell phone). TV or cell phone are just an example to illustrate the invention. Other devices are also applicable (par. 39-40). Horaguichi also teaches an example of transferring initial use date from host computer to facsimile or vice versa (par. 23-26).

- Regarding claim 11, the applicant argued the cited prior arts of record (EP 965950 to Hong and JP 09139794 to Horaguichi) fail to teach and/or suggest first are of storage that stores the indicator is distinguished from the second area of printer memory that stores the initial use date. In response, the examiner disagrees. Hong teaches a memory space comprising a first area and a second area separate from the first area, the initial date being stored in the second area and an indicator being stored in the first area that indicates whether or not an initial date has been stored in the second area, said determining step examining the contents of the first area and not the second area (pars. 28-40). Nonvolatile memory 108 as taught by Hong is well known to contain plurality of different addresses (par. 28) for storing plurality of different data. Hong teaches an indicator of initial use date, date data Ds, for determining whether or not date information was stored when the purchased product was used for the first time (par. 28). If the purchase product is being used for the first time, present date Dp is written at a specific address of the nonvolatile memory 108 that stores Ds. However, it would have been obvious to one of ordinary skill in the art that present date Dp can be written at any specific address other than at the address that stores Ds data. For example, instead of overwriting the Ds with Dp, one of ordinary skill in the art can use different address to store Dp data. Horaguichi teaches an example of nonvolatile memory device 14 that contains plurality different storage areas, and each area can stored different type of data, for example, memory 14a for storing one-touch number, memory 14b for storing sender telephone number, memory 14c for storing communication link condition, memory 14d for storing type of programs, memory 14e for storing sending and receiving time and during time for

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transmission, and memory 14f for storing communication information. Clearly, choosing which memory address of a storage device to store data is well known and based upon one desire.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L. Pham whose telephone number is (571) 272-7439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thierry L. Pham


GABRIEL GARCIA
PRIMARY EXAMINER